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NOTE VERBALE DATED 15 MAY 1992 FROM THE PERMANENT MISSION OF MALTA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Malta to the United Nations presents its compliments to the Secretary-General and, with reference to his note of 3 April 1992, has the honour to report on measures instituted by Malta for meeting the obligations set out in paragraphs 3 to 7 of Security Council resolution 748 (1992) of 31 March 1992.

The provisions of Security Council resolution 748 (1992) have been brought to the attention of all ministers and parliamentary secretaries for necessary action towards the effective implementation of the said resolution. Reports received from ministries and departments confirmed that the measures contemplated in the resolution are being implemented.

In particular, with regard to aerial navigation, steps have been taken to deny permission to any aircraft to take off from, land in or overfly Malta's territory, taking off or destined to land in Libya.

Aeroflot flights from Moscow to Tripoli and back on 4, 5 and 6 May 1992 were allowed, on humanitarian grounds, to overfly Malta's territory after the necessary clearance and approval were obtained and given by the Security Council Committee in accordance with paragraph 9 of resolution 748 (1992).

Action has been taken to prevent operations of the Libyan Arab Airline Offices.

Malta, through a note verbale, informed Libya that a member of Libya's diplomatic mission had to be recalled. This has been complied with.

Customs Authorities have been alerted to exercise the necessary control on all exports to Libya to observe the provisions of the resolution.

On 8 May 1992, the Security Council Committee established by resolution 748 (1992) was requested by the Maltese authorities to declare whether certain goods landed in Malta and destined for Libya fall under the prohibitions indicated in the resolution.

Export regulations were amended by legal notice 42 of 1992 to ensure compliance with the Security Council resolution imposing sanctions. (A copy of legal notice 42 of 1992 is enclosed.)

Malta wishes to inform that it is the consistent policy of the Government of Malta not to produce or export arms and military equipment to other countries at all times. Malta is complying fully with the obligations set out in paragraph 5 of resolution 748 (1992).

Annex

Legal Notice 42 of 1992

SUPPLIES AND SERVICES ACT (CAP 117)

Exportation (Control) (Amendment) Regulations 1992

In exercise of the powers conferred by section 3 of the Supplies and Services Act, the Minister of Finance has made the following regulations:

1. These regulations may be cited as the Exportation (Control) (Amendment) Regulations, 1992, and shall be read and construed as one with the Exportation (Control) Regulation 1948, hereinafter referred to as "the principal regulations".

2. Immediately after regulation 3 of the principal regulations there shall be added the following regulation:

"General prohibition

3A. (1) Notwithstanding the provisions of any other regulation, the exportation of any goods from these islands to any destination, where the exportation of such goods to such destination is prohibited by a resolution of the Security Council of the United Nations under Chapter VII of the United Nations Charter is hereby prohibited and no licence shall be issued for such exportation.

(2) For the purposes of paragraph (1) of this regulation, the Director shall by notice in the Gazette publish from time to time any resolution to which the said paragraph applies.

(3) The provisions of this regulation shall also apply to any goods referred to in paragraph (1) hereof, originating from outside these islands and landed therein only for the purpose of transshipment."